

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

January 5, 2022

Chief Judge Diane S. Sykes

No. 07-21-90080

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presides over her civil case. She complains that the judge has failed to recognize the merits of her claims and appoint counsel to represent her. She also alleges that the judge is “incompetent” [sic] to preside.

Allegations directly related to the merits of the judge’s decisions are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). “Any allegation that calls into question the correctness of an official action of a judge ... is merits related.” STEPHEN BREYER ET AL., IMPLEMENTATION OF THE JUDICIAL CONDUCT AND DISABILITY ACT OF 1980: A REPORT TO THE CHIEF JUSTICE 145 (2006). The allegations here are mostly merits related, and the allegation that the judge is incompetent is wholly unsupported and frivolous. The complaint therefore must be dismissed. §§ 352(b)(1)(A)(ii), (iii).

For the foregoing reasons, the complaint is dismissed pursuant to §§ 352(b)(1)(A)(ii) and (iii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. 28 U.S.C. § 352(c); see RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. 11(g)(3). A petition for review must be filed in the clerk’s office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.